

Special and Regular Meeting of Tuesday, May 27, 2008
City Council Chambers, One Twin Pines Lane

SPECIAL MEETINGS

CLOSED SESSION - 6:30 P.M.

- A. Conference with Labor Negotiator, Jack Crist, pursuant to Government Code Section 54957.6: MMCEA and AFSCME

Attended by Councilmembers Dickenson, Feierbach, Wozniak, Braunstein, City Manager Crist, City Attorney Zafferano, Community Development Director de Melo, Police Chief Mattei, Interim Human Resources Director Kirby, Labor Negotiator Kelly Tuffo. Mayor Lieberman was absent and City Clerk Cook was excused from attending.

ADJOURNMENT at this time, being 7:25 P.M.

Terri Cook
City Clerk

This meeting not tape recorded or videotaped.

REGULAR MEETING
CALL TO ORDER 7:35 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Feierbach, Wozniak, Braunstein, Dickenson, Lieberman

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Crist, City Attorney Zafferano, Community Development Director de Melo, Finance Director Fil, Public Works Director Davis, Assistant Public Works Director Borrmann, Police Chief Mattei, Police Captain DeSmidt, Interim Human Resources Director Kirby, Information Services Manager Harnish, Interim Parks and Recreation Co-Director Ourtiague, Fire Chief Fry, City Treasurer Violet, City Clerk Cook.

REPORT FROM CLOSED SESSION

City Attorney Zafferano stated that no action was taken during the closed sessions held earlier.

SPECIAL PRESENTATIONS

Introduction of Police Explorer Joe Ferrari, and Police Volunteers Yasmine McNaughton and Karen McAweeney

Police Captain DeSmidt introduced Joe Ferrari, the first Police Explorer participating under the revamped Explorer program. He noted that Mr. Ferrari, a San Carlos resident, is a 2007 Carlmont High School graduate who is contemplating a career in law enforcement. He also introduced the police department's two newest volunteers, Yasmine McNaughton and Karen McAweeney.

Mayor Lieberman welcomed all three volunteers.

PUBLIC COMMENTS AND ANNOUNCEMENTS

Jan Fredrickson, Belmont resident, requested that the City Council consider having a future presentation on chloramines in the water, and the issue of potential spraying for the light brown apple moth. She noted that chloramines could be posing a human health issue, and could be damaging sewer pipes.

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Councilmember Feierbach noted that there was missing information in one of the staff reports, and not all staff reports were posted to the web, as is the practice. She asked that all staff reports be posted.

AGENDA AMENDMENTS

Councilmember Wozniak requested the removal of Consent Items 4-C (Ordinance Amending Article 4 of Chapter 21 of the Belmont Municipal Code Relating to Sewer Charges and Adopting a Schedule of Sewer Charges to be Effective Beginning Tax Year 2008-09) and 4-E (Resolution Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an Amount not to Exceed \$90,000, Approving a Contingency not to Exceed \$9,000, Authorizing the City Manager to Execute Contract and Allow Lane Closures on Ralston Avenue between 8AM to 5PM for the Ralston Avenue Median Improvement Project) from the Consent Calendar for separate consideration.

ITEMS APPROVED ON CONSENT CALENDAR

Approval of Minutes of Special Meeting (Closed Session) of May 1, 2008

Acceptance of Information Progress Report On Software Selection Process and Technology Master Plan Update

Adoption of Ordinance 1036 Amending Article I of Section 22 of the Municipal Code for Major and Unusual Encroachments on Public Right-of-Way

Approval of Resolution 10014 Adopting a Ban on the Use of Disposable Plastic Water Bottles at Public Meetings in City Hall (continued from 5/13/08)

ACTION: On a motion by Councilmember Dickenson, seconded by Councilmember Feierbach, the Consent Agenda was unanimously approved, as amended, by a show of hands.

ITEMS REMOVED FROM CONSENT CALENDAR FOR SEPARATE CONSIDERATION

Ordinance Amending Article 4 of Chapter 21 of the Belmont Municipal Code Relating to Sewer Charges and Adopting a Schedule of Sewer Charges to be Effective Beginning Tax Year 2008-09 (2nd reading and adoption)

Councilmember Wozniak noted that hardship was not addressed in the ordinance as discussed at the Public Hearing on May 13th.

Councilmember Feierbach stated that there are procedures available for those with hardships, such as a reverse mortgage. Hardship should be limited only to those who are unable to pay, not simply for certain classes of people such as seniors. There is a need to balance the issue without discriminating.

Mayor Lieberman suggested the use of a subcommittee to address hardships.

Councilmember Dickenson recommended that the Finance Commission review this issue.

City Manager Crist stated that staff could see what other cities do in these types of situations.

Council concurred to refer this matter to the Finance Commission.

ACTION: On a motion by Councilmember Dickenson, seconded by Councilmember Feierbach, Ordinance 1037 Amending Article 4 of Chapter 21 of the Belmont Municipal Code Relating to Sewer Charges and Adopting a Schedule of Sewer Charges to be Effective Beginning Tax Year 2008-09 was unanimously adopted by a show of hands.

ACTION: On a motion by Councilmember Wozniak, seconded by Councilmember Dickenson, and unanimously approved by a show of hands to refer the issue of hardships relative to payment of sewer taxes to the Finance Commission for review.

Resolution Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an Amount not to Exceed \$90,000, Approving a Contingency not to Exceed \$9,000, Authorizing the City Manager to Execute Contract and Allow Lane Closures on Ralston Avenue between 8AM to 5PM for the Ralston Avenue Median Improvement Project, City Contract Number 489

Councilmember Wozniak expressed concern that the closure of a traffic lane on Ralston Avenue would affect school traffic. Public Works Director Davis clarified that this project was scheduled to begin in mid-July and should be completed before school begins again in the fall.

ACTION: On a motion by Councilmember Wozniak, seconded by Councilmember Dickenson, Resolution 10015 Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an Amount not to Exceed \$90,000, Approving a Contingency not to Exceed \$9,000, Authorizing the City Manager to Execute Contract and Allow Lane Closures on Ralston Avenue between 8AM to 5PM for the Ralston Avenue Median Improvement Project, City Contract Number 489 was unanimously approved by a show of hands.

(Reconvene Redevelopment Agency Meeting.)

HEARINGS

Continued Public Hearing to Consider a Resolution Approving the Funding of a Portion of the Manor House Restoration (Health and Safety Code, Section 33445 Findings and Related CEQA Findings), and Resolution Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an Amount not to Exceed \$425,000, Approving a Construction Contingency not to Exceed \$42,500, and Authorizing the City Manager to Execute a Contract for the Reorientation of the Bathroom and Minimal Painting and Repair, Manor House Restoration Project, City Contract Number 483 (continued from 5/13/08)

Public Works Director Davis noted that this matter was continued from the May 13th meeting, and was referred to a subcommittee to address components of the project.

City Engineer Borrmann described the makeup of the subcommittee, which included the project architect. There is a need to repair and maintain the Manor House. She discussed future fundraising possibilities. The subcommittee concluded that the project is needed, including accessible restrooms. She noted that the extent of damage from the bee removal is still unknown at this time. A revised resolution has been presented tonight for consideration.

In response to Councilmember/Director Feierbach, Public Works Director Davis clarified that both restrooms are proposed to be remodeled and converted, as there is no cost savings in phasing the work. City Engineer Borrmann stated that the size of the building determines the number of restrooms needed.

Building Official Nolfi stated that the City has a responsibility to the Americans with Disabilities Act (ADA) beyond this project, since the State Building Code is separate from the ADA. The building is deficient in several areas. He clarified there is no requirement for the installation of an elevator, or that accessible restrooms be available on each floor.

Councilmember/Director Braunstein noted that the penthouse structure needs to be removed before historic registry is considered. There is a difference between the letter and the spirit of the law. There has been no maintenance on this building for several years, and the City is making up lost time. There is much more to be done, and what is proposed in this project is the minimum.

Councilmember/Director Wozniak noted that the Manor Building has 40 years worth of deferred maintenance as well as ADA issues. There is much work that needs to be done to prepare the exterior for painting, including repair of the wall where the old police facility was removed. Following this project, there is more work that remains.

Councilmember/Director Feierbach stated that although not related to this issue this evening, at some future time she would like to address the art gallery and studio rental situation in the Manor Building.

Finance Director Fil recommended that this topic be addressed by the infrastructure subcommittee.

Mayor/Chair Lieberman opened the Public Hearings.

Judy King, Belmont resident, urged the Council to consider approving the proposed project. The building needs this work, and Belmont needs to be proud of the building.

ACTION: On a motion by Councilmember/Director Dickenson, seconded by Councilmember/Director Feierbach, the Public Hearing was unanimously closed by a show of hands.

Councilmember/Director Dickenson stated that the issue has been vetted, and a subcommittee was convened. He noted that the Council received emails and calls of concern regarding the expense, but he concurs that there is a need to act on the deferred maintenance issues with this building.

Mayor/Chair Lieberman stated that the City should make the investment to protect the asset. He concurs that the use of the building should be reviewed in the near future.

ACTION: On a motion by Director Wozniak, seconded by Director Braunstein, Redevelopment Agency Resolution 472 Amending FY 2008 Budget for Supplemental Appropriation for Funding of a Portion of the Manor House Restoration (Health & Safety Code Section 33445 Findings and Related CEQA Findings) was unanimously approved by a show of hands.

ACTION: On a motion by Councilmember Wozniak, seconded by Councilmember Braunstein, City Council Resolution 10016 Approving the Funding of a Portion of the Manor House Restoration (Health and Safety Code, Section 33445 Findings and Related CEQA Findings) was unanimously approved by a show of hands.

OLD BUSINESS

Discussion and Direction Regarding Public Works Performing Slurry Sealing of Roadways in the City of Belmont Using In-House Staff (cont. from 5/13/08)

City Engineer Borrmann stated that the City Council previously addressed this topic and gave direction to explore the option of bringing the slurry seal program in-house. She provided an evaluation of the cost savings if this project were performed by staff rather than contracted out. She noted that cost savings could be used for additional street maintenance. She reviewed the advantages and challenges of such a program. This topic has been discussed by the infrastructure committee. It is a unique and innovative solution.

Public Works Director Davis noted there is minimal risk to staff to perform this work. He clarified that this does not resolve the situation with failed streets. In response to Council questions, he stated that the City would still be eligible for grants for street projects, and that it was not necessary for this topic to be discussed by the Finance Commission.

Councilmember Dickenson suggested that the Finance Commission review this matter, as it provided an opportunity for additional public scrutiny.

Councilmember Wozniak stated that it is counter-intuitive that savings would be realized if this program were performed in-house over the long term. She concurred to have the Finance Commission review this.

Mayor Lieberman concurred to have the Finance Commission review this proposed program, but noted that the Commission may not be in a good position to provide any in-depth review.

Council concurred to refer this matter to the Finance Commission, but to continue moving forward on implementation.

Councilmember Braunstein stated he was interested in seeing how close we come to the estimates provided once implementation begins.

Automated Red Light Photo Enforcement Program --- Project Update

Lieutenant Halleran stated that the City had entered into a contract with Redflex, its vendor for the red light photo program, and the target date for activation is late summer. The contractor has recommended a change in location for one of the cameras. The original recommendations were for westbound Ralston Avenue cameras to be installed at Old County Road and one at El Camino Real. The vendor noted that presence of cameras tends to affect driver behavior, and that the El Camino Real camera should be relocated to the eastbound direction. Both cameras should therefore have a positive effect on driver behavior in both directions.

Lieutenant Halleran clarified that since El Camino Real is a State highway, there is a need to work with CalTrans. Signs need to be in place prior to activation of the cameras, which will be installed by the vendor on existing poles to minimize the impact of additional signage. Both the vendor and staff recommend that signs be placed at major entrances to the City rather than at specific intersections, and this is the practice of most cities.

Council concurred with the camera location change as recommended in the staff report.

NEW BUSINESS

Introduction of FY 2008-09 Budget

Finance Director Fil stated that the proposed budget attempts to match City Council priorities. It is balanced, and no budget corrections are anticipated. The Finance Commission has reviewed and provided input on the document. He reviewed the actions that will be required at budget adoption on

June 10th. He reviewed budget policies. He noted that budget trends are stable due to correction strategies implemented in prior years. Moderate growth is expected with a few exceptions. The rise in fuel price is a factor affecting Belmont's budget. He reviewed assumptions used in the development of the budget, including demographics, revenues, operations and capital improvements. He noted that the Capital Improvement Program is robust.

Finance Director Fil noted that the State budget is a major factor, and he outlined potential State actions that could affect Belmont. He noted that the fund balance dips slightly with the implementation of GASB 45, but this was expected. Belmont has strong contingencies.

Finance Director Fil reviewed Council priorities, and noted that all are multi-year and all are accounted for in the budget. He reviewed the departments' initiatives. He noted that although the Parks and Recreation Department and the Development Services subsidies have been reduced, they are still not at the previously-set target. He stated that 2010 is projected to be a better year overall for the budget, and the City is in a better position now than was expected. He briefly outlined factors that went into the update of the Master Fee schedule, which is a component of the budget adoption process.

Joyce Montgomery, Finance Commission Chair, explained the methodology used by the Finance Commission to review the budget. Individual Commissioner questions were answered by staff. She noted that the Commission is available for any additional review if desired by the City Council.

Finance Director Fil noted that the Commission was scheduled to meet one more time regarding the budget, and that staff would be meeting individually with Councilmembers to review the document.

Councilmember Feierbach requested that the Commission address the issue of prior year budget cuts and to provide input as to which items and programs could and should be restored in subsequent years.

Mayor Lieberman expressed appreciation for the work and input of the Finance Commission.

RECESS: 9:30 P.M.

RECONVENE: 9:40 P.M.

Request for Financial Assistance from the Belmont-Redwood Shores School District (item taken out of order on Agenda)

City Manager Crist explained that the City received a letter from the Belmont-Redwood Shores School District requesting financial assistance on a number of items and programs, which he outlined. He noted that water rates will increase over the next several years. Staff is recommending that the City pay for the watering of fields for one year as a stop-gap measure. He noted that the new sports fee for field improvements needs to be honored, and the fields need to be watered. The 2+2 subcommittee could address this issue for the long term.

City Manager Crist also noted that staff is recommending a subsidy for the School Resource Officer for the short-term, but this subsidy could be lost in subsequent years. Staff is not recommending funding for the crossing guards, as this is solely a school district responsibility. He noted that since receipt of the letter from the school district, the After School Program has been partially funded. This program is to be part of an ongoing discussion with the school district.

In response to Councilmember Wozniak, Police Chief Mattei stated that all schools in Belmont that use the services of the School Resource Officer share proportionately in the cost. He noted that the Police Department would be able to absorb the cost for the Belmont-Redwood Shores School District for the next fiscal year. He clarified that this has been done for other schools in previous years.

Jennifer Benelli, Belmont-Redwood Shores School District Board President, stated that the District has enjoyed working in collaboration with the City over the years. Safety was a consideration in drafting the request for financial assistance. She noted that the District is seeking a safety grant to assist with payment for crossing guards. She noted that the School Board passed a resolution in support of Measure O, Parks for the Future, on the June 3rd ballot.

Emerita Orta-Camilleri, Belmont-Redwood Shores School District Superintendent, stated that Belmont has pride in its great schools, due to the partnership between the District and the City. She reviewed the budget reductions already made by the School Board. The 2+2 committee helps with problem-solving through issues. The District's budget is unstable due to its reliance on the State for funding. She clarified that if some of the restricted monies are returned to the District, they will still be restricted and cannot be reallocated for other uses. She noted that the District is open to creative problem-solving.

In response to Council questions, Superintendent Orta-Camilleri outlined the contribution the City of Redwood City has made relative to Sandpiper School. She clarified that the City owns the field and the multi-purpose room on the school campus, and they are responsible for those facilities. She noted that the City allows the school to use these facilities at no charge. She stated that the PTA and School Force have raised \$640,000, and she reviewed the recommended expenditures of these funds. She clarified that in previous years the District was deficit-spending but did not make budget cuts, as it had hoped that fundraising would be higher to make up the deficit. She noted that donations may not be sustainable in subsequent years. The School Board may be proposing an additional parcel tax.

Councilmember Feierbach stated that a system can be set up where donations to School Force can be automatic.

In response to Mayor Lieberman's question regarding the rationale behind watering landscaping but not playing fields, Superintendent Orta-Camilleri stated that the school children play primarily on the blacktop, not the fields, and it was a matter of prioritization of available funds.

Mayor Lieberman stated that not all residents support the City's subsidy of school expenditures. He expressed concern regarding budget choices made by the School District.

Superintendent Orta-Camilleri responded that the budget issue has resulted in considerable discussion. The District was unaware of the sports player fee. Fields are a community resource. A survey of parents indicated that there were other higher priorities. She suggested that if Measure O passes, some of those funds could be used to offset costs. There is a need for a more stable revenue source.

Councilmember Feierbach stated she could support the City's contribution for watering the fields for one year only. She also expressed concern that the City needs to restore its own previous budget cuts.

In response to Council questions, City Manager Crist recommended that the player user fee should not be used to water the fields, as those funds were intended to enhance the fields, not basic maintenance. Interim Parks and Recreation Co-Director Ourtiague stated that separate meters would need to be installed at Fox and Central Schools, but the other schools already had them.

Discussion ensued regarding cost details of the field watering, and potential water rationing.

Councilmember Braunstein expressed concern that the proposal is only addressing issues for the short term. He noted that the School District may wish to consider transferring the fields to the City at some time in the future. Superintendent Orta-Camilleri responded that it is the intent to have users of the fields pay for the cost of maintaining the fields. She noted that some organizations will pay, but want exclusive use. The School District desires to maintain the fields for Belmont residents.

Mayor Lieberman stated that academics are a priority for the School District. The City Council cannot pay for field watering on a sustained basis. If the School District is incapable of maintaining fields, it may be time to consider turning the fields over to the City. He noted that the field at Sandpiper School is made of artificial turf, and Redwood City would likely not have funded this installation if it was School District property. This would be a good topic for ongoing discussion at the 2+2 subcommittee.

Councilmember Wozniak noted that the fields are not used much during the school day, and are mostly used by team sports, some of which are not Belmont residents. She suggested that caution be exercised when discussing the allocation of Measure O funds, as they may not be able to be used for watering of fields. She can support a one-year subsidy for watering, but wants to address this issue for the long term.

MEETING EXTENTION at this time, being 10:30 P.M., on a motion by Councilmember Dickenson, seconded by Councilmember Feierbach, the meeting was unanimously extended to 11:00 P.M.

Interim Parks and Recreation Co-Director Ourtiague outlined the City's current responsibility and costs for turf and lawn care. He noted that watering and maintenance costs are approximately even.

Councilmember Dickenson stated that safety is a primary consideration, and he can therefore support the School Resource Officer position, as well as the field watering for one year. He supports continuing a dialog with the School District regarding this issue, including the potential acquisition of the fields by the City.

ACTION: On a motion by Councilmember Feierbach, seconded by Councilmember Braunstein, and unanimously approved by a show of hands to 1) continue to provide the services of the School Resource Officer and to waive the subsidy for one year, 2) to fund the cost of watering the playing fields for one year if the School District is unable to allocate the funds in its budget, 3) to continue dialog on these issues through the 2+2 subcommittee, and 4) to discuss the field watering situation with the sports teams.

Request for Approval of Certain Position Additions and Reclassifications of Positions Requested by City Departments - FY 2009 Budget

This item was continued to June 10, 2008.

COMMISSION, COMMITTEE, AND COUNCIL INTERGOVERNMENTAL ASSIGNMENT UPDATES, AND STAFF ITEMS

Verbal report from Councilmembers on Intergovernmental (IGR) and Subcommittee Assignments

Councilmember Dickenson commented regarding the productive recent meeting of the Green Advisory Committee.

ADJOURNMENT at this time, being 10:45 P.M.

**Terri Cook
City Clerk**

Council Meeting Tape Recorded and Videotaped
Audio Recording 699